

1
2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT SEATTLE

6 IVY BYRD GAINES,

7 Petitioner,

8 v.

9 UNITED STATES OF AMERICA,

10 Respondent.

C17-264 TSZ
(related to CR03-496 TSZ)

MINUTE ORDER

11 The following Minute Order is made by direction of the Court, the Honorable
12 Thomas S. Zilly, United States District Judge:

13 (1) By Minute Order entered October 17, 2018, docket no. 12, the parties were
14 directed to file a Joint Status Report within fourteen (14) days after the United States
15 Court of Appeals for the Ninth Circuit issued a mandate in either Allen v. United States,
16 No. 17-10378, or United States v. Luong, No. 16-10213, or by May 15, 2019, whichever
17 occurs earlier. No Joint Status Report was timely filed. The Court has independently
learned that Allen and Luong are being held in abeyance pending two other Ninth Circuit
matters, including United States v. Begay, No. 14-10080, the submission of which has
been deferred pending the United States Supreme Court's decision in United States v.
Davis, No. 18-431, which was argued on April 17, 2019. The parties are DIRECTED to
file a Joint Status Report within fourteen (14) days after an opinion is issued in Davis, **or**
by July 15, 2019, whichever occurs earlier.

18 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of
record.

19 Dated this 30th day of May, 2019.

20 William M. McCool

21 Clerk

22 s/Karen Dews

23 Deputy Clerk